

## RESOLUTION NO. 2016-32

**A RESOLUTION OF THE COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, TO COMPLY WITH STATE LAW BY CORRECTING A PORTION OF RESOLUTION NOS. 2016-26 AND 2016-27 WHICH AUTHORIZED REFERRAL OF A BALLOT QUESTION TO THE QUALIFIED ELECTORS OF THE CITY AT THE GENERAL ELECTION ON NOVEMBER 8, 2016, WITH RESPECT TO A TEMPORARY INCREASE TO THE CITY'S SECONDARY PROPERTY TAX AND AUTHORIZATION FOR THE SALE AND ISSUANCE OF BONDS OF THE CITY OF FLAGSTAF, ARIZONA IN A PRINCIPAL AMOUNT UP TO \$12,000,000 WITH THE PROCEEDS TO BE DESIGNATED FOR PURPOSES OF MUNICIPAL COURT FACILITIES**

### **RECITALS:**

WHEREAS, pursuant to Resolution Nos. 2016-26 and 2016-27 (the "Prior Resolutions"), the City Council resolved to refer a question to the qualified electors of the City concerning whether to approve a temporary increase to the City's secondary property tax and authorize the sale and issuance of general obligation bonds in a principal amount up to \$12,000,000 and to expend funds therefrom for the purpose of design and construction of new facilities for: the municipal court and prosecution staff and paying necessary related costs; for the purpose of design and construction of parking garage or similar structure to enhance municipal court, prosecution staff and public parking availability and paying necessary and related costs; and to pay all costs and expenses properly incidental thereto and to the issuance of bonds, as called for in the City Charter, Article VI, Section 1(a), and Article XVI (the "Question"); and

WHEREAS, the City has outstanding debt of \$45,514,905 and \$151,716,350 of constitutional debt limit available; and

WHEREAS, only the form of the Question included in Exhibit A attached to Resolution No. 2016-26 and Section 3 of Resolution No. 2016-27 did not include specific language to comply with state law pursuant to A.R.S. §35-454(C); and

WHEREAS, the City Council desires to correct only such language in the Question as is necessary to comply with the state law.

### **ENACTMENTS:**

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:**

Section 1: Form of Question.

The City Council hereby approves the language in the Question as follows, strike outs indicating deleted text and **bold face** indicating new language:

~~A vote for the bonds shall have the effect of allowing the City Council to issue up to \$12,000,000 in general obligation bonds to design and construct municipal court facilities. A "YES" vote shall authorize the City Council to issue and sell up to \$12,000,000 in general obligation bonds to be repaid with secondary property taxes to design and construct municipal court facilities.~~

~~For the  
Bonds/Constructing  
Municipal Court  
Facilities~~  
BOND APPROVAL,  
YES

☐

~~A vote against the bonds shall have the effect of not allowing the City Council to issue up to \$12,000,000 in general obligation bonds to design and construct municipal court facilities. A "NO" vote shall not authorize the City Council to issue and sell up to \$12,000,000 in general obligation bonds to be repaid with secondary property taxes to design and construct municipal court facilities.~~

~~Against the  
Bonds/Constructing  
Municipal Court  
Facilities~~  
BOND APPROVAL,  
NO

☐

Section 2. Ratification.

Except as indicated herein, the Prior Resolutions are ratified and confirmed in all respects.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 13<sup>th</sup> day of September, 2016.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY